IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 15100 of 2005

Between:

D.Thomas Petar, S/o.Surya Narayana,
R/o.Vokatippa Village,U Kottapally Mandal, E.G.District.

..... PETITIONER

AND

1 The District Educational Officer, Kakinada, E.G.District.
2 The Mandal Educational Officer, U Kothapally (M), E.G.District.
3 A.Varalakshmi, Chairman, School Education Committee,
Zilla Parishat High School, Vakatippa , U, Kothapally Mandal,

E.G.district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not issuing the posting orders as Vidhya Volunteers (S.G.T) in pursuance to the proceedings issued by the 1st Respondent Vide Rc.No.1/B4/2004, dt.9-3-2005 as highly illegal, arbitrary and consequentially this Hon'ble Court may be pleased to direct the respondents to issue posting orders as Vidhya Volunteers with consequential benefits including arrears of salaries from the date of selection.

Counsel for the Petitioner: MR.M.R.TAGORE

Counsel for the Respondents 1 and 2: GP FOR EDUCATION

Counsel for the Respondent No.3: SC FOR ZILLA PARISHAT

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondents in issuing posting orders as Vidhya Volunteers (SGT) pursuant to the proceedings of the first respondent dated 09-03-2005.

2. According to the petitioner, a notification was issued by the respondents dated 13-07-2004 for filling up the posts of Vidhya Volunteers at various Zilla Parishat High Schools. But the respondents selected some of the unqualified candidates ignoring the petitioner herein. Therefore, the petitioner filed W.P.No.21190 of 2004 which was disposed of on 19-11-2004 with a direction to the District Collector to conduct enquiry by issuing notices to all the parties concerned. After disposal of the said writ petition, it is stated that proceedings were issued on 09-03-2005 selecting the qualified candidates including the petitioner and for posting the petitioner at Z.P.High School, Vakatippa. However, the grievance of the petitioner is that no posting orders are issued. Therefore, the petitioner again has come up with the present writ petition.

3. At the time of hearing, the learned counsel for the petitioner specifically referred to the proceedings dated 09-03-2005 specifying the name of the petitioner along with one Elien Jyothi, who were being selected and posted at Z.P. High School, Vakatippa, East Godavari District.

4. Heard the learned counsel for the petitioner and the learned Government Pleader.

5. In view of the specific orders issued by the District Educational Officer-the first respondent herein selecting the petitioner as one of the Vidhya Volunteer for posting in the ZP High School, Vakatippa, the non-issuance of the posting orders is clearly illegal and without jurisdiction.

6. In the above circumstances, the third respondent is directed to issue posting orders to the petitioner in pursuance of proceedings dated 09-03-2005, within a period of two weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. No order as to costs.

S.ANANDA REDDY, J

13th July, 2005

Note:

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Furnish C.C. by 18-07-2005.

B/o.

SKM
To

1 The District Educational Officer, Kakinada, E.G.District.
2 The Mandal Educational Officer, U Kothapally (M), E.G.District.
3 A.Varalakshmi, Chairman, School Education Committee,
Zilla Parishat High School, Vakatippa , U, Kothapally Mandal,

E.G.district.

4 Two C.Cs. to G.P. for Education, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

5 1 CC to MR.TAGORE

6 Two CD Copies.